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October 20, 2017

**VIA CM/ECF**

Catherine O'Hagan Wolfe  
Clerk of Court  
U.S. Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Re: SEC v. Wyly (No. 15-2821)

Dear Ms. Wolfe:

In response to the Court's request, we write to advise the Court of the status of the ongoing settlement negotiations for the above-captioned appeal, which the Court ordered (ECF 185) be held in abeyance while the parties worked to finalize a settlement that will resolve this appeal and permit its voluntary dismissal. Appellant respectfully requests that the appeal continue to be held in abeyance through January 2018.

Although the parties remain agreed in principle, their settlement has yet to be finalized. The settlement in this case is part of a global resolution that includes the IRS and several third parties, including certain trustees in the Isle of Man. The parties anticipate that they will execute agreements and obtain necessary government approvals on a coordinated track because the terms of the agreements are interrelated and impact pending litigation in at least four different courthouses. The global resolution remains on track but certain terms antecedent to the settlement in this case are still being finalized among third parties. Accordingly,

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Appellant respectfully requests that the Court continue to hold this appeal in abeyance through January 2018. The SEC joins in this request.

Respectfully submitted,

/s/ Kathleen M. Sullivan

Kathleen M. Sullivan

cc: Counsel of Record (via CM/ECF)